

# BRAIN INJURY RIGHTS GROUP

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October 17, 2022

**Via ECF**

Hon. Stewart D. Aaron  
United States Magistrate Judge  
Southern District of New York  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street  
New York, NY 10007

**Re:** *United States of America, ex rel. Patrick Donohue v. Carranza, et al.*,  
1:20-cv-05396 (GHW)(SDA)

Dear Judge Aaron,

As you may recall, the undersigned represents the Plaintiff-Relator, Patrick Donohue, in the above-referenced matter. On September 27, 2022, Your Honor ordered the Plaintiff-Relator to file a letter no later than even date regarding the status of his claims, including the status of his anticipated stipulations of voluntary dismissal and his intentions with respect to those Defendants that have not yet appeared in this action. [ECF No. 195].

***Stipulations of Voluntary Dismissal***

The Plaintiff-Relator has agreed to dismiss the claims against the California Defendants, specifically the Los Angeles Unified School District and its Superintendent, Austin Beutner, as well as the San Diego Unified School District and Superintendents Lamont A. Jackson and Cindy Marten (collectively, “the California Defendants”). On even date, the undersigned has circulated a Joint Motion for Voluntary Dismissal regarding each California Defendant to their respective counsel. Once the Parties agree on the form and substance of the Motions, I will promptly file the Motions with the Court.

The Relator has also agreed to dismiss the New York State and New York City claims against the New York Defendants, to wit, the New York City Department of Education, and Buffalo Public Schools and their respective Superintendents (collectively, “the New York Defendants”). On even date, the undersigned has circulated Joint Motions for Partial Voluntary Dismissal with respect to those New York State and City claims to Defendants’ respective counsels. Once the Parties agree on the form and substance of the Motions, the Parties will promptly file same with the Court.

The Relator intends to file a Motion for Dismissal with regard to those State and City claims against Niagara Falls Public School District and Mark Laurie, in his official capacity as the Superintendent, as those Parties have not yet appeared. With regard to the remaining claims against Niagara Falls Public School District and Mr. Laurie, the Relator intends to proceed as set forth below.

***Remaining Claims***

The Relator intends to pursue his federal False Claims Act (31 U.S.C. §3729-3733 (“FCA”)) claims against the remaining Defendants, to wit: the Massachusetts Department of Education, the Somerville Public School District, Mary Skipper, as Superintendent of the Somerville Public School District, Jeffrey C. Riley, as Superintendent of Massachusetts Department of Education; the Stamford Public School District, Tamu Lucero, as Superintendent of Stamford Public School District; Chicago Public School District, Jose M. Torres, Ph.D., as Superintendent of Chicago Public Schools; Camden City Public School District, Katrina McCombs, as Superintendent of Camden City School District; the Wake County Public School District, and Cathy Quiroz Moore as Superintendent of the Wake County Public School District.

The following Parties have not entered an appearance in this matter: the Niagara Falls Public School District and Superintendent Mark Laurrie; the Massachusetts Department of Education and Superintendent Jeffrey C. Riley. The Relator intends to pursue a Default Judgment against those Defendants that have not yet appeared.

The Plaintiff-Relator thanks the Court for its courtesies and attention herein.

Respectfully submitted,

/s/

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